

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

-----	X	
SHENGMENG WANG,	:	
	:	
Plaintiff,	:	NOTICE OF REMOVAL OF
	:	ACTION FROM STATE COURT
-against-	:	
	:	
CHUNG FAT SUPERMARKET INC., YUE	:	[Removal from Supreme Court of the
MEI JIANG, ZHI LIANG CHEN, XUE	:	State of New York, Queens County,
FENG JIANG, and XINYU JIANG,	:	Index No. 706398/2025]
	:	
Defendants.	:	
	:	
-----	X	

PLEASE TAKE NOTICE that pursuant to 28 U.S.C. §§ 1331, 1441(a), and 1446, Defendants Chung Fat Supermarket Inc., Yue Mei Jiang, Xue Fen Jiang,¹ and Xinyu Jiang (together, “Company Defendants”)² by their attorneys, Littler Mendelson, P.C., hereby remove the above-entitled action pending in the Supreme Court of the State of New York, Queens County, where it is assigned Index No. 706398/2025, to the United States District Court for the Eastern District of New York. In support of their Notice of Removal, Company Defendants state the following:

I. NOTICE OF REMOVAL IS TIMELY

1. On March 6, 2025, Plaintiff Shengmeng Wang (“Plaintiff”) filed a Summons with Notice for an action against Defendants entitled *Shengmeng Wang v. Chung Fat Supermarket Inc., Yue Mei Jiang, Zhi Liang Chen, Xue Feng Jiang, and Xinyu Jiang*, Index No. 706398/2025, in the Supreme Court of the State of New York, Queens County (“State Court Action”). A true and correct copy of the State Court Action Summons with Notice is attached hereto as **Exhibit A**.

¹ Defendant Xue Fen Jiang is misnamed in the caption of this action as “Xue Feng Jiang.”
² “Defendants” refers to Company Defendants together with Defendant Zhi Liang Chen.

2. To date, Plaintiff has not filed an affirmation of service for the Summons with Notice, nor has Plaintiff filed a Complaint in the State Court Action.

3. Upon information and belief, none of the Company Defendants have been served with the Summons with Notice or a Complaint.

4. Company Defendants have not received any copy of the Complaint by means other than service.

5. Pursuant to 28 U.S.C. § 1446(a), upon information and belief, there were no process, pleadings, and orders served upon the Company Defendants in the State Court Action. Upon information and belief, no other process, pleading, or order was filed in the State Court action, aside from the document attached as Exhibit A.

II. VENUE

7. Because the Supreme Court of New York, County of Queens, lies in the Eastern District of New York, this Court is the appropriate venue for removal. *See* 28 U.S.C. § 1441(a).

III. FEDERAL QUESTION JURISDICTION

8. Removal is proper because this Court has jurisdiction under 28 U.S.C. § 1331, which provides this Court with original jurisdiction over “all civil actions arising under the Constitution, laws, or treaties of the United States,” also referred to as “federal question jurisdiction.”

9. According to the Summons, the State Court Action arises because Plaintiff claims some or all Defendants violated 26 U.S.C. § 7434.³ *See* Ex. A.

³ The Summons with Notice refers to claims for alleged “violations of New York Labor Law, violations of 26 USC § 7434, violations of NYSHRL, torts, and other *related* causes of action.” Ex. A (emphasis added). This Court may exercise supplemental jurisdiction over the New York state law claims because these claims, though they have not yet been detailed in a Complaint, are purportedly related to Plaintiff’s federal claim such that they will be part of the same case or controversy under Article III of the United States Constitution and because no apparent novel or complex issue of state law predominates. *See* 28 U.S.C. §§ 1441(c) and 1367.

10. The Court has original jurisdiction over this action pursuant to 28 U.S.C. § 1331, because the Summons contains a federal cause of action against some or all Defendants under 26 U.S.C. § 7434, seeking civil damages for fraudulent filing of information returns. *See* Ex. A. Thus, this is a civil action over which this Court has federal question jurisdiction under 28 U.S.C. § 1331, in that this action arises under the Constitution, laws, or treaties of the United States.

IV. COMPLIANCE WITH PROCEDURAL REQUIREMENTS

11. The State Court Action is properly removed to this Court under 28 U.S.C. §§ 1441 and 1446 because it is pending in Queens County, New York, which lies within this District.

12. A true and complete copy of this Notice of Removal and the Affirmation Providing Notice to State Court of Removal to Federal Court will be submitted for filing with the Queens County Clerk's Office in accordance with 28 U.S.C. § 1446(d). A copy of the Affirmation Providing Notice to State Court of Removal to Federal Court, without exhibits, is attached as **Exhibit B**.

13. Company Defendants will also serve notice to Plaintiff that a notice of removal has been filed in this Court in accordance with 28 U.S.C. § 1446(d). A copy of the Notice to Adverse Party of Notice of Removal, without exhibits, is attached as **Exhibit C**.

14. The undersigned counsel represents Defendants Chung Fat Supermarket Inc., Yue Mei Jiang, Xue Fen Jiang, and Xinyu Jiang in this Action and affirms, pursuant to 28 U.S.C. § 1446(b)(2)(C), that the Corporate Defendants consent to the removal of the State Court Action to this Court.

15. The required filing fee and an executed civil cover sheet accompany the Notice.

16. Company Defendants file this Notice of Removal solely for the purpose of removing the instant action and does not waive, and specifically reserves, any and all defenses.

WHEREFORE, Company Defendants respectfully request that this action be removed to this Court, that this Court accept jurisdiction of this action and that this action be placed on the docket of this Court for further proceedings as though this action had originally been instituted in this Court.

Dated: New York, New York
April 22, 2025

LITTLER MENDELSON, P.C.

By: /s/ Kevin K. Yam

Kevin K. Yam
Vinay D. Patel
900 Third Avenue
New York, NY 10022.3298
Telephone: 212.583.9600
Facsimile: 212.832.2719

Attorneys for Defendants
*Chung Fat Supermarket Inc., Yue Mei
Jiang, Xue Fen Jiang and Xinyu Jiang*